

### AGENDA

A. Discussion of the allowability of claims 1, 3 and 12, which currently stand rejected under 35 U.S.C §103(a) for purportedly being obvious in view of U.S. Patent No. 6,632,992 ('Hasegawa'), U.S. Patent No. 6,694,316 ('Langseth'), U.S. Publication No. 2001/0054181 ('Corvin').

a. Specifically, the Applicant respectfully requests discussion of the following feature claim 1:

wherein the play back apparatus is configured to automatically replay said advertising block in response to receiving a user-command to institute a trick play operation for scanning through a time segment of the media file that is adjacent to said advertising block.

The references seemingly do not teach that an advertising block is automatically replayed in response to a user-command to institute a trick play operation for scanning through a time segment of the media file that is adjacent to the advertising block. For example, Corvin seems to teach replaying an advertisement if a user attempts to switch to a different channel or turns off the user equipment during a forced advertisement (see, e.g., Corvin, paras. 28 and 24). Corvin does not seem to disclose or suggest that the advertisement is replayed when a trick play operation is instituted to scan through a time segment that is adjacent to the advertisement.

b. Additionally, the Applicant also respectfully requests discussion of the following proposed amendments to claims 3 and 12, respectively:

3. (Currently Amended) A method for playing back a digital media file on a proprietor-authorized play back apparatus comprising the steps of:

defining a plurality of predetermined media types based upon an advertising scheme associated therewith, wherein each media type is associated with one of a plurality of different, forced advertising playback modes;

valuing each of said plurality of predetermined media types in accordance with said advertising scheme, wherein each of said media types and corresponding forced advertising playback modes is associated with a different discount price for consumer purchase;

selecting one of said plurality of media types; and

playing back said selected media type on the proprietor-authorized play back apparatus, wherein said proprietor-authorized playback apparatus is configured to determine which of said plurality of playback modes is associated with the selected media type and to invoke said advertising scheme by instituting the determined forced advertising play back mode.

12. (Currently Amended) A proprietor-authorized apparatus for playing back a digital media file, comprising:

means for defining a plurality of predetermined media types based upon an advertising scheme associated therewith, wherein each media type is associated with one of a plurality of different, forced advertising playback modes;

means for valuing each of said plurality of predetermined media types in accordance with said advertising scheme, wherein each of said media types and corresponding forced advertising playback modes is associated with a different discount price for consumer purchase;

input means for selecting one of said plurality of media types;

playback means for playing back said selected media type;

means for determining which of said plurality of playback modes is

associated with the selected media type; and

means for invoking said advertising scheme by instituting the determined forced advertising play back mode.

It is respectfully submitted that the references also seemingly do not value a plurality of media types/forced advertising playback modes with a different discount price for consumer purchase. For example, while Corvin discusses different alternatives with regard to how a service provider may manage when a forced advertisement is presented or received (see, e.g., Corvin, para. 8), Corvin does not seem to disclose or suggest that each of the alternatives is associated with a different discount price for consumer purchase.

Respectfully submitted,

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